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Docket No.: OGW-0273
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ryoji Hanada

Application No.: 10/615,239

Confirmation No.: 8375

Filed: July 9, 2003

Art Unit: 1733

For: PNEUMATIC TIRE FOR PASSENGER CARS
AND METHOD OF MANUFACTURING THE
SAME

Examiner: J. R. Fischer

PETITION UNDER 37 C.F.R. § 1.181

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice of Non-Compliant Amendment (37 C.F.R. 1.121) mailed on September 13, 2005.

Applicant, through its undersigned attorney, hereby petitions to withdraw the Notice of Non-Compliant Amendment (37 CFR 1.121).

Background

The Notice contends that the document filed on August 25, 2005 is considered non-compliant because it has failed to meet the requirements of 37 C.F.R. §1.121. Specifically, the Notice asserts that, regarding Amendments to the specification, the Remarks/Conclusion should be on a separate sheet. A copy of this Notice is provided along with this Petition as ATTACHMENT A.

Accordingly, this Petition pursuant to 37 C.F.R. §1.181 is proper.

Arguments

A Response To Restriction Requirement was filed on August 25, 2005. The Response includes an election as a full and timely reply to the Restriction Requirement made in the Office Action mailed on July 28, 2005.

Please note that the requirements of 37 C.F.R. §1.121 set forth the manner of making amendments in an application.

Further note that no amendment to the above-identified application is found within the Response To Restriction Requirement filed on August 25, 2005.

Relief

Upon this Petition, withdrawal of the Notice of Non-Compliant Amendment (37 C.F.R. 1.121) mailed on September 13, 2005 is respectfully requested.



Fee

No fee is believed required to support this Petition. See 37 C.F.R. §1.181.

However, if a fee is required, the Commissioner is hereby authorized to charge the Petition fee to Deposit Account No. 18-0013.

Dated: September 19, 2005

Respectfully submitted,

By  

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COPY OF THE NOTICE OF NON-COMPLIANT AMENDMENT (37 C.F.R. 1.121)

MAILED ON SEPTEMBER 13, 2005.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,239	07/09/2005	Ryoji Hanada	OGW-0273	8375

23353 7590 09/13/2005

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EXAMINER

FISCHER, JUSTIN R

ART UNIT

PAPER NUMBER

1733

DATE MAILED: 09/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

10615239

Examiner

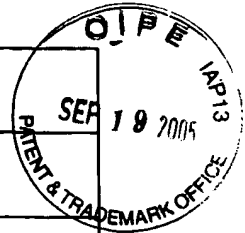
J.R. Fischer

Applicant(s)

Ryoji Hanada

Art Unit

1733



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 25 August 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☒ 1. Amendments to the specification:

- ☐ A. Amended paragraph(s) do not include markings.
- ☐ B. New paragraph(s) should not be underlined.
- ☒ C. Other Remarks/Conclusion should be on a separate sheet.

☐ 2. Abstract:

- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
- ☐ B. Other _____.

☐ 3. Amendments to the drawings:

- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
- ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
- ☐ C. Other _____.

☐ 4. Amendments to the claims:

- ☐ A. A complete listing of all of the claims is not present.
- ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
- ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
- ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
- ☐ E. Other: _____.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Veronica J. Fischer
Legal Instruments Examiner (LIE)

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